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August 2, 2021

Via ECF and Facsimile

Honorable Judge Alvin K. Hellerstein
United States District Court for the Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007
Courtroom: 14D
Chambers: 1050
Fax: (212) 805-7942

*Served
8-3-21
Alvin K. Hellerstein*

Re: **Request for Adjournment**
Patrick Capital Markets, LLC v. Ascend Real Estate Partners, L.P. et al.
Civil Action No. 1:21-cv-06004-AKH

Dear Judge Hellerstein,

The undersigned firm has recently been retained by defendants Ascend Real Estate Partners L.P. ("Ascend"), Rabina Properties, LLC ("Rabina Properties"), Maldad (Mickey) Rabina ("M. Rabina"), Joshua Rabina ("J. Rabina"), and Jordan 520 LLC ("Jordan," and collectively "Defendants").

We write to request an adjournment of the time within which Defendants must answer or otherwise move in response to the complaint filed by plaintiff Patrick Capital Markets, LLC ("Patrick Capital"). We request that the time to answer or otherwise move be adjourned to **September 24, 2021**.

- Ascend believes it was served with a copy of the summons and complaint through its corporate agent for service of process on or about July 22, 2021, and therefore that a responsive pleading should be filed by **August 12, 2021**;
- Rabina Properties believes it was served with a copy of the summons and complaint through its corporate agent for service of process on or about July 23, 2021, and therefore that a responsive pleading should be filed by **August 13, 2021**;
- Jordan 520 LLC believes it was served with a copy of the summons and complaint through its corporate agent for service of process on or about July 23, 2021, and therefore that a responsive pleading should be filed by **August 13, 2021**;
- M. Rabina believes he was served with a copy of the summons and complaint on or about July 29, 2021, and therefore that a responsive pleading should be filed by **August 19, 2021**; and

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- J. Rabina believes he was served with a copy of the summons and complaint or about July 29, 2021, and therefore that a responsive pleading should be filed by August 19, 2021.

The parties have conferred in good faith and Patrick Capital does not object to this request. This is the first request for an adjournment of the time to answer or otherwise move in response to the complaint.

Separately, there is an initial case management conference scheduled in this matter for September 10, 2021 at 10:30 a.m. Defendants additionally request that this conference be adjourned until after the deadline for the filing of an answer or responsive motion. The parties have conferred in good faith on this issue as well, and Patrick Capital does not object to this request. This is the first request for an adjournment of the September 10, 2021 case management conference.

Respectfully submitted,

/s/ William R. Fried

William R. Fried

cc: Matthew C. Mason, Esq. (via ECF and Facsimile: (203) 834-1628)